

House Bill 475

By: Representatives Pak of the 108th, Ramsey of the 72nd, Rice of the 95th, Stephens of the 164th, Powell of the 32nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to
2 drivers' licenses, so as to authorize the commissioner of driver services to enter into
3 reciprocal agreements on behalf of Georgia for the recognition of drivers' licenses issued by
4 foreign territories; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses,
9 is amended by revising Code Section 40-5-5, relating to the authority of the Governor to
10 execute binding reciprocal agreements regarding the operation of motor vehicles, publication
11 of the terms of such agreements, and rules and regulations, by adding a new subsection to
12 read as follows:

13 "(c) The commissioner is authorized to negotiate and enter into an agreement with a
14 foreign country that exempts the citizens of such foreign country from the knowledge test
15 and the on-the-road driving test required in Code Section 40-5-27 so long as the citizen
16 holds a valid driver's license of an equivalent class issued by such foreign country;
17 provided, however, that no such agreement shall be entered into unless the foreign country
18 offers the same reciprocity to persons holding a valid driver's license of an equivalent class
19 issued by the State of Georgia. The exemption provided for in this subsection shall not be
20 an exemption from any other legal requirement for the issuance of a driver's license,
21 including the requirement that the applicant demonstrate lawful presence within the United
22 States in accordance with Code Sections 40-5-21.1 and 40-5-21.2. This subsection shall
23 not apply to citizens of foreign countries applying for a commercial driver's license or
24 Class M driver's license."

SECTION 2.

Said chapter is further amended by revising subsection (a) of Code Section 40-5-27, relating to the examination of applicants for drivers' licenses, as follows:

"(a)(1) The department shall examine every applicant for a driver's license, except as otherwise provided by subsection (d) of in this Code section. Such examination shall include a test of the applicant's eyesight, his or her ability to understand official traffic-control devices, and his or her knowledge of safe driving practices and the traffic laws of this state and shall also include a comprehensive on-the-road driving test during which the applicant shall be required to fully demonstrate his or her ability to exercise ordinary and reasonable control in the operation of a motor vehicle of the type or general class of vehicles he or she desires a license to drive; ~~provided, however, that the~~

(2) The on-the-road driving test requirement shall not apply to any applicant for a Class C driver's license who holds a Class D driver's license issued on or after January 1, 2002.

(3) Neither the on-the-road driving test nor the knowledge test shall apply to:

(A) An applicant 18 years of age and older with a valid and current license, or a license that has been expired for less than two years, issued by another state of the United States or the District of Columbia who surrenders his or her previous license to obtain a Georgia license shall be exempt from taking such tests; or

(B) An applicant who is a citizen of a foreign country with which the commissioner has entered into a reciprocal agreement pursuant to subsection (c) of Code Section 40-5-5.

(4) The examination may also include such further physical and mental examination as the department finds necessary to determine the applicant's fitness to operate a motor vehicle safely upon the highways. The commissioner may establish by rules and regulations the type of tests or demonstrations to be made by applicants for any class of license."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.